

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED

NOV 14 2003

KEVIN J. MURPHY, Clerk
SOUTHERN DISTRICT OF OHIO

Jessica Anderson

Plaintiff,

vs.

Avon Products, Inc.

Defendant.

Case No. C-1-02-355

Judge Weber

**AFFIDAVIT OF PAMELA MYERS IN SUPPORT OF AVON PRODUCTS, INC.'S
MOTION FOR SUMMARY JUDGMENT**

STATE OF OHIO

COUNTY OF Hamilton

)
) ss:
)

Pamela A. Myers, being first duly sworn, states as follows:

1. I have personal knowledge of the facts of the above-captioned case and submit this affidavit in support of summary judgment on behalf of Avon Products, Inc.

2. I am employed as SOAP/SSS Business Manager in charge of a business unit for Avon Products, Inc. located in at 175 Progress Place, Cincinnati, Ohio 45246.

3. As SOAP/SSS Business Manager, I am responsible for overseeing the overall operations of the line.

4. Jessica Anderson is a former Avon Products, Inc. employee. During Ms. Anderson's employment, she maintained a record of poor, and unsatisfactory attendance.

5. Ms. Anderson was certified off work by Aetna from approximately April 11, 2000 through May 7, 2000.

**DEFENDANT'S
EXHIBIT**

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6. On May 15, 2000, I informed Ms. Anderson that neither Avon nor Aetna had any documentation certifying her off beyond May 8, 2000. At that time, Ms. Anderson told me that she did not have any documentation certifying her time off beyond May 7, 2000.

7. At that same time, because Ms. Anderson had yet to return to work after May 8, 2000, I told her that she needed to return to work.

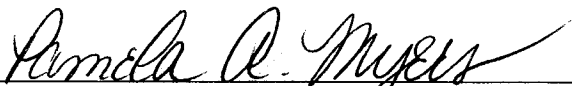
8. As of June 2, 2000, Ms. Anderson had yet to either return to work or provide any documentation supporting her time off. Because Ms. Anderson had yet to return to work, I sent her a certified letter indicating that Avon intended to terminate her employment due to job abandonment, if she did not reply within seven (7) days of the date of the letter.

9. Before June 10, 2000, Ms. Anderson provided Avon no documentation supporting her time off beyond May 7, 2000.

10. Avon terminated Ms. Anderson's employment due to her poor attendance record, job abandonment and failure to provide any documentation supporting her time off from work after May 7, 2000.

11. On June 10, 2000, Avon received a letter from Ms. Anderson indicating that she did not have documentation supporting her time out of work after May 7, 2000.

Further, Affiant sayeth naught.



Pamela A. Myers, as Duly Authorized
Representative of Avon Products, Inc.

NOTARY PUBLIC

Sworn to and subscribed before me this 14th day of November, 2003.



Notary Public

My commission expires: May 15, 2004

STEVEN E. HUNT

Notary Public, State of Ohio

My Commission Expires May 15, 2004